IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Civil Transfer Application No. 07 of 2003

Smt. Vimla Devi W/o Sri Pushkar Singh,
R/o Adarsh Colony, Degree College Road,
Khatima, District Udham Singh Nagar. ....Petitioner

Vs

1. District Judge, Pithoragarh.
2. Pushkar Singh S/o Sri Mahendra Singh R/o Village Kalsin Katiya, Patwari Khstera, Sintoli, Tehsil and District-Pithoragarh. ....Respondents

Sri S.K. Mandal, learned counsel for the petitioner.
Despite of service none present for the respondent No.2

Hon'ble B.S. Verma, J.

Heard.

The present Civil Transfer application has been filed by the applicant with a prayer to transfer the Suit No.28 of 2002 , Pushkar Singh Vs. Vimla Devi, filed under Section 24 of CPC pending in the Court of District Judge, Pithoragarh to Family Court, Udham Singh Nagar.

The respondent No.2 had filed the Suit No.28 of 2002, Pushkar Singh Vs. Vimla Devi, under Section 9 of the Hindu Marriage Act before the District Judge, Pithoragarh which is pending. Despite of service, the respondent No.2 had not filed any response till today.

According to the petitioner, she is living at Khatima, District Udham Singh Nagar. Being a lady, it is very inconvenient for her to go to Pithoragarh to contest the case.

The grounds shown in the application is sufficient to transfer the case from the Court of District Judge, Pithoragarh to Family Court, Udham Singh Nagar.

The Civil Transfer application is allowed.

The Suit No.28 of 2002, Pushkar Singh Vs. Vimla Devi, pending in the court of District Judge, Pithoragarh is transferred to the Court of Family Court, Udham Singh Nagar.

The District Judge, Pithoragarh is directed to remit the record of the Suit No. 28 of 2002, Pushkar Singh Vs. Vimla Devi to Judge Family Court, Udham Singh Nagar and the Judge Family Court, Udham Singh Nagar is directed to conclude the proceedings of Suit No. 28 of 2002, Pushkar Singh Vs. Vimla Devi, expeditiously as far as possible after hearing both the parties.

All applications stands disposed of accordingly.

(B.S. Verma, J)

Dated: - 29-5-2007
M.K.